

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NGHIA NGUYEN,

Plaintiff,

v.

NANCY FERNELIUS, et al.,

Defendants.

CASE NO. 3:23-CV-5102-TL-DWC

ORDER EXTENDING CASE
DEADLINES AND DIRECTING
STATUS UPDATE

This matter has been referred to United States Magistrate Judge David W. Christel. Currently before the Court is Plaintiff Nghia Nguyen's Motion for Extension of Time to Respond to Defendants' Motion for Summary Judgment. Dkt. 61. The deadline for Defendants to respond to Plaintiff's Motion expired on January 2, 2025, with nothing filed by them. *See docket.*

This is Plaintiff's third request for an extension of time to respond to the Motion for Summary Judgment. *See* Dkt. 56, 59. In his second request for an extension, Plaintiff stated that "summary judgment materials" were confiscated from another inmate who was assisting him in this case. Dkt. 59. In addition to an extension of time, Plaintiff requested the Court direct the Department of Corrections ("DOC") to return the confiscated materials to the unnamed inmate.

1 *Id.* The Court denied this request because neither the DOC nor the unnamed inmate are parties in
2 this case, but it granted Plaintiff a three-week extension of time to prepare and file his response
3 to the Motion for Summary Judgment. Dkt. 60.

4 In his third request for an extension, Plaintiff again requests that the Court direct the
5 DOC to return the confiscated summary judgment materials or, in the alternative, direct the
6 Defendants or the Clerk of Court to provide Plaintiff with a new copy of Defendants' Motion for
7 Summary Judgment and all accompanying exhibits. Dkt. 61. As before, the Court will not direct
8 the DOC to return documents to an individual who is not a party in this case. However, the Court
9 will provide Plaintiff with additional time to prepare and file his summary judgment response,
10 and it will also require Defendants to provide Plaintiff with a copy of their Motion for Summary
11 Judgment (Dkt. 47) and all attachments and properly redacted exhibits thereto. Accordingly,
12 Defendants are hereby directed to file a status report and proof of service by January 10, 2025,
13 demonstrating that Plaintiff has been provided copies of their Motion for Summary Judgment
14 (Dkt. 47) and all attachments and properly redacted exhibits thereto.

15 The new deadline for Plaintiff to file a response to Defendants' Motion for Summary
16 Judgment is January 27, 2025. Defendants may file a reply in support of their Motion not later
17 than February 3, 2025. Absent extraordinary circumstances, no further extensions will be granted
18 with respect to Defendants' Motion for Summary Judgment.

19 The Clerk of Court is directed to renote the Motion for Summary Judgment (Dkt. 47) for
20 consideration on February 3, 2025.

21 Dated this 7th day of January, 2025.

22 

23 David W. Christel
24 United States Magistrate Judge